

**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on November 13, 2000

By: 

Leslie Lindsay

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**IN THE UNITED STATES PATENT & TRADEMARK OFFICE****FAX RECEIVED****NOV 13 2000****Applicant:** Bitner, et al.**Docket No:** 16026.9038**Serial No.:** 09/475,958**Group Art Unit:** 1655**Filed:** 12/30/99**Examiner:** B. Sisson**FOR:** **CELL CONCENTRATION AND LYSATE CLEARANCE  
USING PARAMAGNETIC PARTICLES****PETITIONS OFFICE****PETITION FOR WITHDRAWAL OF PATENT APPLICATION FROM ISSUE  
UNDER 37 CFR 1.313(c)**

Assistant Commissioner for Patents  
Box 313  
Washington, DC 20231

Sir:

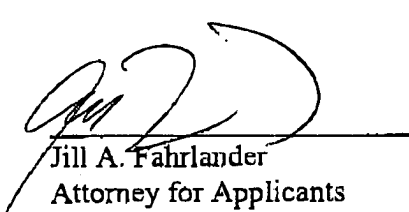
Pursuant to 37 C.F.R. § 1.313(c), Applicants request that the above-identified application be withdrawn from issue in consideration of a submission pursuant to 37 C.F.R. § 1.114. Please charge the petition fee of \$130.00 set forth in 1.17(i) to Deposit Account No. 50-0842. The Request for Continued Examination under 37 C.F.R. § 1.114 and an Information Disclosure Statement are concurrently filed herewith.

After paying the Issue Fee on September 1, 2000, Applicants became aware of potentially relevant art not previously submitted to or cited by the Patent Office during prosecution of the application. On September 29, 2000, there issued an International Search Report in corresponding PCT Application No. PCT/US99/31207, citing German Patent Application No. DE 195 12 368A as a category "X" publication. Therefore, withdrawal from issue is necessary to permit consideration of the art cited

in the International Search Report. A copy of the International Search Report and a copy of U.S. Patent No. 6,117,398, which claims priority to German Patent Application De 195 12 368A, are enclosed. Copies of the German Patent Application DE 195 12 368A and an English translation will be submitted under separate cover.

Respectfully Submitted

Date: November 13, 2000

  
Jill A. Fahrlander  
Attorney for Applicants  
Reg. No. 42, 518

MICHAEL BEST & FRIEDRICH LLP  
One South Pinckney Street, Suite 700  
P. O. Box 1806  
Madison, Wisconsin 53701-1806  
(608) 257-3501

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